



TECHNICAL ADVISORY COMMITTEE (TAC)

Meeting Minutes



July 29, 2003 9:30 a.m. – 4:45 p.m.

**NOAA Facility
Santa Cruz, California**

Attendance:

Vicki Nichols	Stephen Ricks	Russell Long	Matt Rezvani	Joan Lundstrom
R. Mitchel Beauchamp	Jessica Hamilton	Ellen Faurot-Daniels	Alan Romero	Carlton Moore
Stephen Sawyer	Joy Lavin-Jones	Chris Klumpp	Barry Ogilby	Marguerite Diaz
Megan Walton				

The July 29, 2003 meeting of the Oil Spill Technical Advisory Committee (TAC), at the National Oceanic and Atmospheric Association facility, Santa Cruz, California, was called to order at 9:35 a.m. – Vicki Nichols, Chairperson, presiding.

I. COMMENCEMENT/INTRODUCTIONS

VICKI NICHOLS (CHAIRPERSON)/TAC

Ms. Nichols announced that she had an appointment, would have to leave during the agency reports, and would return shortly thereafter. Ms. Nichols turned meeting over to Carlton Moore. Participants introduced themselves. Mr. Moore announced that the OSPR facility had some exotic seals – Dave Jessup happy to give a tour.

II. WELCOME/GENERAL ANNOUNCEMENTS

CARLTON MOORE

- *Offsite Budget meeting: Discussion on 04/05 budget.*
 - Administration called for 10% reduction plan
 - TAC Resolution was taken to DFG: forced by DFG into subcommittees of both the Assembly and the Senate – saved positions.
 - Bargaining units to renegotiate 5% pay raise: if not willing to renegotiate, mandatory layoffs will be necessary.
 - State department to prepare 10% layoff plan.
 - OSPR offered up positions under SB 849 as a sacrifice, 2 PYs under general fund money may go, 18 people graduating at the DFG wardens academy will be graduated and then laid off (anticipating one warden to come to OSPR, and two will be retiring (cannot replace)).
 - Re-appropriation of funds, DFG hit with \$1.1 million
 - Layoffs: Anticipate layoffs of 13,000 people (30 month or less State service). UC and CSU will be entered into reduction plan next year. An additional 2% reduction is being requested (3,000 people). DFG 196+ wardens, OSPR 22 wardens on staff and fund another 8 in the field (regional) – will lose some of these wardens.
 - OSPR's operating expense will be reduced in order to meet the 2% additional reduction.
 - OSPR programs intact – will be reevaluating where to place wardens.
- *Harbor Safety Committees:*
 - Bylaws are being developed.
 - OSPR is looking at who should be on the Harbor Safety Committees, has made recommendations to the committees, and will propose a comprehensive cleanup Bill to change membership criteria if necessary.
 - Moved the summit to October in order for committees to have a chance to digest the recommendations and make final determinations on how OSPR wants to proceed with statutory changes.
- *British Columbia/Pacific States Meeting:* Topic was on how a Prestige tanker type of event (major spill) would be handled. General assumption was that this type of event has never occurred along the west coast. Pacific States will make recommendations to the Area Planning Committees to address this type of event.

III. AGENCY REPORTS

CCC/BCDC/SLC

California Coastal Commission:

- *Harbor Safety Committees:* Major participation in harbor safety bylaws (took a fair amount of time and travel).
- *Area Committees:* Reconciliation of interpretation of some offshore recommended routes (recommendations as it came out of the Pacific States British Columbia workgroup): Traffic comparison to Port Hueneme.

- *Lightering Offshore San Diego:* Current concern about nearer shore area within lightering about 20 miles offshore and occurring on vessel traffic shipping. USCG, industry, and some agency sympathy for not developing a lightering zone. The USCG provided a model Standards of Care as guidelines. The Standards of Care guidelines issued by USCG apply to all of Southern California and in spite of the recommendations of a risk based decision, are not specific to nearshore lightering (nearshore can be up to 12 miles offshore).

State Lands Commission:

Report has been submitted for TAC review. Administrator talked to Kevin Mercer of SLC regarding their fund. Impacts to SLC – they are making reduction involving potential layoffs.

SF Bay Conservation and Development Commission:

- BCDC is looking at whether they have the funds to do a water quality analysis throughout the Bay
- *Harbor Safety Committee:*
 - Bylaws group took the TAC's bylaws to use as a template and was able to pass the bylaws after 6 meetings. HSC has recommended changes in legislation, reflecting new and old issues in the Bylaws.
 - HSC has been working with the USCG on Homeland Security issues. Due to the tremendous diversity of traffic in the Harbor, HSC has become a forum for the maritime industry to work with the public.

IV. CRUISE SHIP LEGISLATION

RUSSEL LONG

Three (3) Bills stem from legislation sponsored about 3 years ago to create a Cruise Industry Task Force. The Task force recommendations are overdue and there have been a lot of struggles internally to meet the deadline (June 1, 2003).

- *AB471:* Requires all cruise vessels operating in CA coastal waters out to 25 nautical miles offshore to use EPA on-road diesel oil. Using on-road diesel oil will reduce nitrogen oxide emissions, sulfur oxide emissions, fine particles, and toxic (*very considerably in some cases*), and put a ban on the discharge of any emissions from incinerating out to 20 miles. Result of the emissions blow on shore. Air Resources Board has managed to get a legal opinion that they have authority to control anything that's offshore beyond three (3) miles if it is impacting the California coastline (CA impacted by air pollution 200 miles offshore).
- *AB 121:* Directs the Water Resources Control Board to petition EPA and any other required Federal agencies to prohibit the release of sewage into the waters of the State or into marine sanctuaries and also controls hazardous waste discharge.
- *AB 906:* Prohibits release of gray water and other wastes by large capacity vessels.
- *AB 433:* Oceans Conservancy is the sponsor. Prohibits the discharge of ballast water, unless the ballast water has either been exchanged offshore or there is a single case exemption

V. APPROVAL OF THE MINUTES

VICKI NICHOLS (CHAIRPERSON)/TAC

One change, Joan Lundstrom motioned to approve minutes and Beauchamp seconded, approved.

Vicki Nichols will be moving to the mountains – leaving the TAC and will remain with Save Our Shores as consultant,

Motion to change the meeting date to earlier in October, seconded, TAC moved to October 22, 2003 – Port of San Diego.

VI. SENSITIVE SITE STRATEGY EVALUATION

CHRIS KLUMPP

Area Committee level (subcommittee): Evaluated 4 sites out of the SF Bay area.

- *NRC:* Herron Head (needs to be redone) booming strategy needs to be further developed, grounding of oil for shore site skimming operations to develop high marshland.
- *Clean Bay:* Hastings Slough (did well)
- *Foss:* San Pablo Creek (did well)
- *MSRC:* Martinez Marsh (did well)

Next Scheduled: Mill Point – August 20, 2003

Attempting to expand the program to all of California, which requires modifications in the strategies and re-evaluation of the Area Contingency Plan, SF, and SD (will take about 1.5 years). There are some CEQA and NEPA concerns on the sensitive site (USEPA is the lead).

VII. SHORELINE PROTECTION/REGULATIONS UPDATE

JOY LAVIN-JONES

- *Shoreline Protection:* Carl Jochum – prepared a table at the last meeting (risk sites, boom, boom type, anchor type, etc.). A comparison of numbers was made by sites, impact, boom amounts, anchor type and amounts, number of boats, staff. Detailed and compared the section of the SF Bay to what was in the ACP. How much confidence do we have in the ACP numbers and the trajectories. More discussion needed on trajectories and requirements. OSROs will detail how to meet the requirements in the table. What can we reasonably do in the first six hours when attempting to mobilize people, equipment, and do site safety plan, assess risk, dedicated v. non-dedicated resources (OSPR to develop guidelines)? Meetings will be held in 2 hour blocks to talk about different sections of the coast, and will bring in the local biologist to give their rationales on interpreting trajectories.
- *Regulations:*
 - Grants program: One comment on formatting.
 - Emergency regulations that went into effect January 1, 2003: Regular rulemaking follow up has been completed, sent out for public comments – not many comments. Permanent regulation approved.

VIII. TAC ANNUAL REPORTS

TAC

Draft TAC Report reviewed, editing suggested, new sections to be added and language changes requested. Suggestion to add an Executive Summary.

Motion: TAC needs to put on the agenda that an emergency need arose and there are unusual circumstances to make an appointment of a non-tank representative, seconded, unanimous. Motion to table discussion for October, seconded, unanimous.

IX. OILY WASTE DISCHARGE

TAC

The TAC meets to determine who has jurisdiction on the issue, and requests the Administrator to look at the USCGs inspection program. Below topics were issues that TAC will continue to address.

- OSPR is going to fund a demo project. Would like to pick a very busy day and run 24 hours along the CA coast (polar orbit – 120 miles out).
- Russell Long believes that legislation to impose a fee on the vessels – potential for 250 gallons a year. Spot check program or mandatory inspection program and will effectively stop the discharges. Restricted to State waters.
- Radar can stand up in court. Radar will tell us the vessels who are trailing in off the coast. Will know much more regarding compliance with State law regarding discharges - have a feeling that the numbers are not high.
- Area Committees define the problem and influence the USCG to do enforcement.
- Data on what it would cost to spot check 10% of vessels. May be able to make an extension of the SLCs program.
- May want to get a presentation on what they are doing on oily waste discharge issues, bypass systems. Specifically how USCG handles separation of oily water discharges.
- Bilge slop donuts are they going into the ocean or are they going into the ports.
- The responsibility is on the Port and each terminal operator. Need a port or a terminal operator to chime in on the presentation. A vessel operator may provide valuable insight.
- Where are tank washings available? Discussion for Gary Gregory to clarify.

X. MUNDOGAS EUROPE/GOLDEN GATE INCIDENT

TAC

- The San Francisco Harbor Safety Committee found that the definition of dangerous cargo was too difficult, no way to track, because some ships may have too many compartments.
- Anhydrous ammonia is outside the purview of this committee. Suggested to table discussion to increase the TAC authority in statute. Problem is that the Administrator has no jurisdiction. There is a policy and funding issue (major concern using OSPR funding).
- Preparation for next meeting – list of pollutants that are a cause of concern – Ask USCG what they consider to be dangerous cargo. Who has the jurisdiction to regulate dangerous cargos on ships (responsibilities, staff, funding, etc.).

XI. OTHER BUSINESS

ALL

Suggested Agenda Topics for October 22, 2003 meeting:

- Lightering – Port of San Diego
- Election of Officers
- Issue of budget for TAC members
- Oily Waste Discharge radar program (results of the \$4,000 study)
- Two stroke motor oil v. four stroke motor oil
- Next meeting: October 22, 2003 (San Diego)

Adjourn